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Notice of Allowability	Application No.	Applicant(s)	
	10/747,835	VILLANUEVA ET AL.	
	Examiner	Art Unit	
	Geoffrey L. Knable	1733	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--
 All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief filed 11-8-2006.
2. ☒ The allowed claim(s) is/are 1,3-8,13,14 and 16.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413);
Paper No./Mail Date _____ 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William R. Allen on January 19, 2007.

The application has been amended as follows:

In the claims:

Claim 1 has been amended as follows:

1. (Currently Amended) A pneumatic tire comprising:
 - a carcass;
 - a tread disposed radially outward of said carcass, said tread including an equatorial plane;
 - a sidewall including a shoulder that intersects said tread; and
 - a belt reinforcing structure positioned radially between said carcass and said tread, the belt reinforcing structure including a plurality of cut belts extending axially into said shoulder, a plurality of overlapping spiral wound belt layers positioned radially between said plurality of cut belts and said tread, and a plurality of spiral wound shoulder layers overlapping at least a portion of said plurality of cut belts in said shoulder, said plurality of spiral wound belt layers and said plurality of spiral wound shoulder layers formed by a continuous cord-reinforced strip having a strip width, each

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spiral wound belt layer of said plurality of spiral wound belt layers characterized by a first winding pitch of greater than or equal to one strip width per revolution, and said plurality of spiral wound shoulder layers characterized by a second winding pitch of less than one strip width per revolution.

Claim 6 has been amended as follows:

6. (Currently Amended) The pneumatic tire of claim 1 wherein said belt reinforcing structure includes six cut belt layers and two spiral wound belt layers.

Summary of above-noted January 19, 2007 Interview: Agreement was reached on the changes detailed above to claims 1 and 6 to place this application into condition for allowance. The examiner proposed the amendment to claim 1 to clarify the claim language in a manner that more clearly defines over the closest prior art by emphasizing that, in the context of a tire including the other claimed details of the tire belt reinforcing structure, each of the plural spiral wound belt layers are wound at the first winding pitch (defined as greater than or equal to one strip width). This is in contrast to the previously applied patent to Oare in which the only clear showing of a multiple layer spiral wound belt layer effects this using substantial overlap (and thus at a pitch smaller than the strip width). There is no clear teaching or suggestion in Oare alone or together with any of the other closest prior art of record of a tire as claimed including the specified winding of the spiral wound belt and shoulder layers. The change to claim 6 was to correct a previous error in rewriting the claim.

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

The claims are allowed for substantially the reasons advanced by applicant in the Brief on Appeal filed November 8, 2006. Additionally, it is noted that, in the context of the detailed winding process/belt winding configuration claimed, each of the spiral wound belt layers (or both the first and second spiral wound belt layers in the method claims) are wound at the first winding pitch (defined as greater than or equal to one strip width) whereas in previously applied Oare et al. (US 5,115,853), the only clear showing of a multiple layer spiral wound belt layer effects this using substantial overlap (and thus at a pitch smaller than the strip width). There is no clear teaching or suggestion in Oare et al. alone or together with any of the other closest prior art of record to form a tire in the manner claimed including the specified winding of the spiral wound belt and shoulder layers. None of the closest prior art, then, would teach or render obvious a tire/method as claimed.

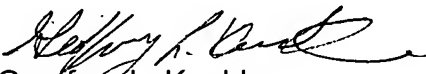
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Geoffrey L. Knable whose telephone number is 571-272-1220. The examiner can normally be reached on M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on 571-272-1226. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Geoffrey L. Knable
Primary Examiner
Art Unit 1733

G. Knable
January 19, 2007